

FILED
U.S. DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS

2004 FEB -3 A 11: 59

CIVIL ACTION
U.S. DISTRICT COURT
DISTRICT OF MASS.
NO. 03-40253-NMG

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DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, f/k/a BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.,

Plaintiff

v.

ROSE CASTRO; JOSH CASTRO; JOSEPH DIMARE,
and ALL OTHER OCCUPANTS,

Defendants

-----X

**DEFENDANTS' MOTION FOR AN ENLARGEMENT OF
TIME TO OPPOSE PLAINTIFF'S MOTION TO REMAND**

Pursuant to R. 6(b)(1) Fed. R. Civ. P., the Defendants, through counsel, hereby move this Honorable Court for an enlargement of time up to and inclusive of two (2) weeks from the date of the allowance of this motion by the court to file and serve a response in opposition to Plaintiff's motion to remand the within action to state court.

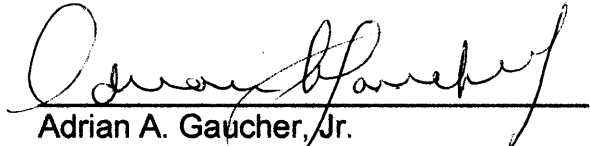
As grounds therefor, the Defendants state that they have just recently retained counsel, who has ascertained that this court possesses jurisdiction over the parties and the subject matter and that this matter should not be remanded. Counsel needs the additional time to formulate a substantive response which addresses all of plaintiff's issues, but can only do so in an orderly fashion if given the additional time to do so.

No prejudice shall result to the plaintiff if such motion is allowed.

WHEREFORE, the Defendants pray that this Honorable Court allow said motion, and for such other and further relief as this court deems just and meet.

ROSE CASTRO; JOSH CASTO and
JOSEPH DiMARE,

by their Attorney,

A handwritten signature in cursive script, appearing to read "Adrian A. Gaucher, Jr.", written over a horizontal line.

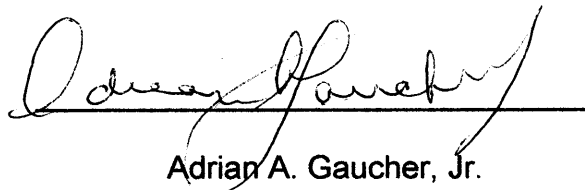
Adrian A. Gaucher, Jr.
GAUCHER and GAUCHER
60 Hamilton Street
Southbridge, MA 01550-1808
Tel: (508)-764-3259
BBO # 80545

Date: January 30, 2004

CERTIFICATE OF SERVICE

I, Adrian A. Gaucher, Jr., hereby certify that on the 30th. day of January, 2004, I served a copy of the within motion via first class mail, postage prepaid, upon the following parties/counsel of record/parties-in-interest thereto:

Attorney Kimberly C. Turina
Harmon Law Offices, P.C.
P.O. Box 610389
Newton Highlands, MA 02461-0389



Adrian A. Gaucher, Jr.